

TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR ARCHITECTURAL REVIEW COMMISSION MEETING HELD ON WEDNESDAY, AUGUST 26, 2020

Please be advised that in keeping with a recent directive from the Town Council, the minutes of all Town Boards and Commissions will be "abbreviated" in style. Persons interested in listening to the meeting, after the fact, may access the audio of that item via the Town's website at www.townofpalmbeach.com.

I. CALL TO ORDER

Mr. Small called the meeting to order at 9:01 a.m. All members participated via Zoom Webinar due to the COVID-19 situation.

II. ROLL CALL

Michael B. Small, Chairman	PRESENT
Robert N. Garrison, Vice Chairman	PRESENT
Alexander C. Ives, Member	PRESENT
Maisie Grace, Member	PRESENT
John David Corey, Member	PRESENT (Absent 8/27 – excused)
Betsy Shiverick, Member	PRESENT
Richard Sammons, Member	PRESENT
Katherine Catlin, Alternate Member	PRESENT
Dan Floersheimer, Alternate Member	PRESENT
Edward A. Cooney, Alternate Member	PRESENT

Staff Members present were:

Wayne Bergman, Director of Planning, Zoning and Building

Paul Castro, Zoning Manager

Laura Groves van Onna, Historic Preservation Planner

Kelly Churney, Secretary to the Architectural Review Commission

III. PLEDGE OF ALLEGIANCE

Chairman Small led the Pledge of Allegiance.

IV. RULES OF ORDER AND PROCEDURE

Mr. Bergman announced that the meeting was being held electronically due to the CDC guidelines, and in accordance with State Executive Order 20-69. Mr. Bergman reviewed the procedures for Commissioners participating in the meeting.

- V. **APPROVAL OF THE MINUTES FROM THE JULY 29, 2020 MEETING**
Motion made by Mr. Garrison and seconded by Mr. Corey to approve the minutes from the July 29, 2020 meeting. Motion carried unanimously.

VI. **APPROVAL OF THE AGENDA**

Mr. Small requested the following amendments to the agenda:

Deferral of B-047-2020, 110 Seaspray Avenue to the September 23, 2020 meeting
Withdrawal of B-042-2020, 221 Ocean Terrace

Motion made by Mr. Corey and seconded by Mr. Garrison to approve the agenda as amended. Motion carried unanimously.

VII. **ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY**

Mr. Small announced that Ms. Churney would be administering the oath at the beginning of each project.

VIII. **COMMUNICATIONS FROM CITIZENS REGARDING NON-AGENDA ITEMS (3 MINUTE LIMIT PLEASE)**

There were no comments heard at this time.

IX. **COMMENTS FROM THE ARCHITECTURAL COMMISSION MEMBERS**

Mr. Ives inquired about the two emails the Commission received from staff regarding demolitions and native plants. Mr. Bergman responded. A discussion ensued about the native plant requirements.

Ms. Shiverick expressed concern about the number of staff approvals on the report that were for items that had been previously approved by the Commission, particularly for materials, windows and colors. Mr. Bergman responded. A discussion ensued about the changes that occur after an ARCOM approval and prior to receiving a CO. After a lengthy discussion, the consensus of the Commission was to allow staff to develop a plan to incorporate several Commissioners each month in the staff approval process. Mr. Bergman confirmed he would put together a path forward.

X. **PROJECT REVIEW**

DEMOLITIONS AND TIME EXTENSIONS

B-035-2020 Demolition

Address: 756 Hi Mount Road

Applicant: Hi Mount LLC (Amy Zabetakis, Member)

Professional: Ken Tate/Richard Leja

Project Description: Complete demolition of existing residence, swimming pool and landscaping.

A motion carried at the July meeting to approve the demolition with the caveat that the applicant return to the August 26, 2020 meeting with a clean landscape plan that shows the lot sodded, irrigated and a proper landscape buffer.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Vertesch agreed to the easement.

Brian Vertesch, SMI Landscape Architecture, presented the modified landscape and hardscape demolition plan.

There was a consensus among the Commission of being in favor of the project.

Motion made by Mr. Corey and seconded by Ms. Shiverick to approve the demolition as presented with the following conditions: to sod and irrigate the property within 30 days and all elements on the property are to be maintained prior to demolition, with the items remaining after demolition to be maintained until new construction commences. Motion carried unanimously. This motion was approved with the condition that the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town.

B-046-2020 Demolition

Address: 1015 S. Ocean Blvd.

Applicant: 1015 South Ocean Boulevard LLC (Maura Ziska, Manager)

Professional: Harold Smith/Smith and Moore Architects, Inc.

Project Description: Demolition of an existing single family residence, pool, hardscape and landscape.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Smith agreed to the easement.

Mr. Smith presented the architectural plans for demolition of the existing residence.

Steve West, Parker Yannette Design Group, presented the landscape and hardscape demolition plan.

Mr. Small inquired about the dimensions of the lot. Mr. Smith responded. Mr. Small inquired if safety measures would be taken during demolition and new construction. Mr. Smith responded.

Mr. Small called for public comment. There were no comments heard.

Mr. Garrison agreed with the chairman that safety measures during demolition and new construction would be important.

Ms. Grace expressed concern for the new construction and hoped it would fit into the neighborhood.

Mr. Corey asked for confirmation that the entire lot would be sodded. Mr. West responded. Mr. Corey thought this location was a sensitive location and thought it was unfortunate that the existing home could not be renovated.

Ms. Shiverick hoped that the new construction would be in the spirit of a beach house that fit into the neighborhood.

Mr. Sammons agreed with Ms. Shiverick and was concerned that the open courtyard would be lost.

Ms. Catlin thought the site had unique and specific challenges. She expressed concern for two items: she wanted to make sure that the owners were aware of the challenges of the lot restrictions and that the owners would be able to rebuild and achieve the same low profile of a home.

Mr. Floersheimer agreed with the other Commissioners and expressed concern that the new home would need to be raised three feet just to be built, which would block the ocean vistas.

Mr. Smith stated he is working on the plans for the new home that would include a courtyard and would be a low profile home.

Mr. Sammons inquired if it was possible to grandfather the footprint of the home. Attorney Skip Randolph responded.

Motion made by Ms. Grace and seconded by Mr. Garrison to approve the demolition as presented with the following conditions: to provide necessary protections for the ingress and egress to the property during demolition, to sod and irrigate the property within 30 days and all elements on the property are to be maintained prior to demolition, with the items remaining after demolition to be maintained until new construction commences. Motion carried 6-1, with Mr. Sammons opposed. This motion was approved with the condition that the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town.

B-047-2020 Demolition

Address: 110 Seaspray Ave.

Applicant: Manoogian Armen A Trust

Professional: Jose A. Gonzalez/Gonzalez Architects

Project Description: Request for demolition of existing house, covered loggia, guest house, pool and paved drive, walks and decks. The above mentioned areas will be filled and the lot will be sodded and irrigated.

Clerk's note: This project was deferred to the September 23, 2020 meeting at the Approval of the Agenda, Item VI.

MAJOR PROJECTS – OLD BUSINESS

B-020-2020 New Construction

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 171 Via Bellaria

Applicant: John Robert Tomisch Trust (M. Tim Hanlon, Attorney)

Professional: Patrick Segraves/SKA Architect + Planner

Project Description: New 8,468 sq. ft. two-story house painted cream with clay tile roof, stone trim. New landscape and hardscape.

ZONING INFORMATION: Section 134-843 (7): The Applicant is proposing a new 9,416 square foot two story residence on Via Bellaria that would have a building height plane setback of 37 feet in lieu of the required minimum setback ranging from 51.2 to 69.5 feet.

A motion carried at the May meeting to defer the project for one month, to the June 24, 2020 meeting, for a massive restudy with every aspect of the design. A motion carried at the June meeting to defer the project to the July 29, 2020 meeting at the request of the professional. A motion carried at the July meeting to defer the project for to the August 26, 2020 meeting in accordance with the comments from the commissioners as well as to allow proper notice for the required variance.

Call for disclosure of ex parte communication: Disclosure by several members.

Attorney Skip Randolph asked some of the Commissioners to further explain their ex parte communications with the architect.

Maura Ziska, Attorney for the applicant, explained the project and zoning requests and advocated for a positive recommendation to the Town Council.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Ms. Ziska agreed to the easement.

Mr. Segraves presented the modified architectural plans proposed for the new residence.

Carol Perez, AGT Land Landscape Architecture, presented the modified landscape and hardscape plans proposed for the new residence.

Mr. Small called for public comment. There were no comments heard.

Mr. Garrison thought the new plans were an improvement. He also inquired about the screening during demolition. Ms. Perez responded.

Mr. Ives thought the plans were refined and thought they were acceptable.

Ms. Grace was in favor of the changes proposed. She inquired if limestone could be used in the materials. Mr. Segraves stated he would agree to the limestone.

Mr. Corey did not believe the plans had been changed enough to fit into the neighborhood. He expressed concern for the center volume of the home, railings above the doors, the front entry, the arches over the front door, the nano doors and suggested a one-story wing near the pool. He also thought the variance could be eliminated. He questioned the four date palms on the front of the property and suggested a few landscape changes for the two entrances.

Ms. Shiverick agreed with Mr. Corey. She still did not believe it was worthy of the rest of the homes on the street. She expressed concern for the balcony railings, shutters, she thought the middle of the home was too wide and questioned the Bougainvillea on the middle of the home. She preferred the lanterns on the sides of the front door compared to the arched windows.

Mr. Sammons still did not believe it was worthy for the street. He expressed concern for the railings, shutters, the deepness of the home, the lack of details in the presentation, the fenestration in the rear of the home, the chimney height, the width of the quoins, the arches over the doors and the entablature.

Ms. Catlin thought the new design missed the mark and thought it was not to the level of the street. She inquired if Mr. Segraves verified the proposed square footage of the home. Mr. Segraves did not verify the total square footage of the home but verified the square footage that had been removed.

Mr. Floersheimer agreed with the rest of the Commission. He inquired if there would be appropriate screening for the neighbor's concern across the street. Mr. Segraves responded.

Mr. Garrison inquired which architect would be responsible for making the changes requested by the Commissioners. Mr. Segraves responded.

Motion made by Mr. Corey and seconded by Mr. Sammons to defer the project for one month, to the September 23, 2020 meeting. Motion carried 6-1, with Ms. Shiverick opposed. This motion was deferred with the condition that the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town.

Please note: A short break was taken at 10:42 a.m. The meeting resumed at 11:00 a.m.

B-027-2020 Demolition/New Construction

Address: 335 Seabreeze Ave.

Applicant: 65 Kimberly Place LLC

Professional: MP Design and Architecture Inc.

Project Description: Demolition of existing two-story residence, one car garage and pool. Renovation of existing two-story guest house. New four car garage. Existing site wall and motor court to remain. New Landscape.

A motion carried at the April meeting to defer the project to the May 27, 2020 meeting. A motion carried at the May meeting to defer the entire project for one month, to the June 24, 2020 meeting, to allow the professional to return with renderings, more history on the current home and a more thorough demolition plan. A motion carried at the June meeting to defer the project to the July 29, 2020 meeting at the request of the professional. A motion carried at the July meeting defer the project to the August 26, 2020 meeting to allow the professionals to return with a clear plan for the guesthouse to remain.

Call for disclosure of ex parte communication: Disclosure by several members.

Michael Perry, MP Design & Architecture, presented the architectural demolition plans for the existing residence and the one story garage while keeping the two story guest house.

Mr. Small called for public comment. There were no comments heard.

Mr. Garrison inquired about the staircase to access the second story. Mr. Perry responded.

Mr. Ives thought the proposed was an improvement but also added he was fine with the previous proposal.

Ms. Grace was unhappy that the main home was going to be demolished.

Mr. Corey inquired about the height of the parapet. Mr. Perry responded.

Ms. Shiverick was in favor of the proposal.

Mr. Sammons expressed concern for the loss of the main home.

Ms. Catlin questioned the proposed as a single family home and expressed concern for the future of the lot. Mr. Perry responded.

Mr. Floersheimer inquired about the proposed renderings. Mr. Perry responded. Mr. Floersheimer inquired about the amount of renovation and whether the 50% rule had been exceeded. Mr. Perry responded.

Mr. Cooney thought the proposed was acceptable.

Mr. Small expressed the loss of the Eckler home. Mr. Small asked Mr. Castro if the proposal would qualify as a single family home. Mr. Castro expressed concern with the mansard roof overhang as well as the existing motor court.

A discussion ensued about the potential zoning issue relating to the roof overhang.

Motion made by Mr. Corey and seconded by Mr. Garrison to defer the project for one month, to the September 23, 2020 meeting, to allow the professional to address the zoning issue. Motion carried 6-1, with Mr. Ives opposed.

There was a consensus of the Commission to move the following project to this position in the agenda.

A-029-2020 Additions

Address: 130 Clarendon Ave.

Applicant: Mr. & Mrs. Harry Slatkin

Professional: MP Design & Architecture

Project Description: 680 SF Sunroom addition to existing main house on the east side of property. Not visible from street.

Call for disclosure of ex parte communication: Disclosure by several members.

Michael Perry, MP Design & Architecture, presented the architectural modifications to the existing residence.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Ms. Perry agreed to the easement.

Mr. Small called for public comment. There were no comments heard.

Mr. Corey inquired about the roof of the sunroom. Mr. Perry responded.

Mr. Sammons expressed concern for the parapet being held up by glass.

Mr. Cooney inquired if the windows would be impact. Mr. Perry responded.

Most of the Commission were in favor of the proposal.

Motion made by Mr. Garrison and seconded by Ms. Shiverick to approve the project as presented. Motion carried unanimously. This motion was approved with the condition that the owner did voluntarily agree to dedicate a

utility easement supporting the undergrounding project subject to the satisfaction of the Town.

B-032-2020 Additions/Modifications

Address: 220 El Vedado Rd.

Applicant: Robb Turner

Professional: Patrick Segraves/SKA Architect + Planner

Project Description: Addition of approx. 675 sq. ft. loggia and a stand-alone gym of approx. 840 sq. ft. Final landscape and hardscape to be included.

A motion carried at the June meeting to defer the project to the July 29, 2020 meeting at the request of the professional. A motion carried at the July meeting to approve the landscape and hardscape plans and to defer the architectural plans for the pavilion to the August 26, 2020 meeting.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Segraves presented the architectural modifications proposed for the new structure.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Segraves agreed to the easement.

Mr. Small called for public comment. There were no comments heard.

Mr. Garrison expressed concern for the design of the cupula but thought it was time to move on with the project. Mr. Ives agreed.

Mr. Grace was in favor of the project but stated she preferred the brick over the portico rather than the proposed change to the limestone.

Mr. Corey questioned the width and diameter of the columns but thought the rest of the project was acceptable.

Ms. Shiverick thought the cupula still too tall and the building still needed to look more subservient to the main house.

Mr. Sammons thought the portico proportions were still incorrect. He expressed concern for the fenestration and cupula.

Ms. Catlin agreed with Mr. Sammons and was not in favor of the cupula.

Mr. Segraves stated he would agree to space the columns equally across the portico and to remove the cupula.

Ms. Shiverick thought the pediment was still too heavy and was in favor of the previously proposed cupula. She thought the project should be deferred.

Mr. Sammons agreed with Ms. Shiverick.

Ms. Catlin and Mr. Floersheimer agreed as well.

Motion made by Mr. Corey and seconded by Ms. Shiverick to defer the project for one month, to the September 23, 2020 meeting. Motion carried unanimously. This motion was deferred with the condition that the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town.

B-034-2020 Additions/Modifications

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)

Address: 2730 S. Ocean Blvd.

Applicant: The Ambassador Hotel Cooperative Apartment Corp., A Florida Corporation. (Richard Schlesinger, President)

Professional: Richard Sammons/Fairfax, Sammons and Partners

Project Description: Additions and interior and exterior renovations to the buildings at 2730 S. Ocean Blvd. Landscape and hardscape changes included.

ZONING INFORMATION: The following zoning relief is being requested: 1. Section 134-1055 (16.): Special Exception approval to modify the existing condo-hotel use in the R-D(2) Zoning District. 2. Section 134-327: Site plan approval for the modifications to the existing condo-hotel site as identified above. 3. Section 134-1064: Special exception approval for the new balconies on the third, fourth and fifth floors. 4. Section 134-1060 (6)(f): Variance request for the proposed redevelopment to include the addition of balconies on the south side of the building that will encroach into the south side yard setback by a 30 inches thus a variance request for a setback of 27.5 feet in lieu of the 30 foot minimum required. 5. Section 134-2172: Variance to allow the proposed off-street, valet-operated parking, to be tandem and stacked in lieu of the code required off-street parking standards related to size of spaces and access. The code requires parking spaces to be designed so that a vehicle can be removed without the necessity to move another vehicle. The proposed parking is modifying and adding parking areas designed with stacked (tandem) and lift parking. 6. Section 134-1064: Variance to allow the lot coverage to be 44.9% in lieu of the 23.7% existing and the 22% maximum allowed in the R-D(2) Zoning District for 5 story buildings (the building is 7 stories with a lower level floor area). 7. Section 134-1060(6): Variance to allow a north side yard setback of 15 feet in lieu of the 30 foot minimum required for the under dune garage. 8. Section 134-1064(b)(3): Variance to allow a height of 68.96 feet in lieu of the 62.5 maximum allowed for the Penthouse additions (7th floor).

A motion carried at the June meeting to defer the project to the July 29, 2020 meeting at the request of the professional. A motion carried at the July meeting to defer the project to the August 26, 2020 meeting at the request of the attorney.

Call for disclosure of ex parte communication:

Maura Ziska requested a deferral to the October 28, 2020 meeting to allow more time to work with the neighbors.

Mr. Small stated that the Governor's Emergency Order was still in effect and that any motion should be without prejudice.

Please note: Mr. Sammons and Ms. Shiverick both declared a conflict of interest for this project and recused themselves from the vote. It was noted that Ms. Catlin and Mr. Floersheimer would be voting in their absence.

Motion made by Mr. Corey and seconded by Mr. Garrison to defer the project for two months, to the October 28, 2020 meeting without prejudice. Motion carried unanimously.

B-036-2020 Demolition/New Construction

Address: 135 Reef Road

Applicant: Donald and Maureen Kandziora

Professional: Roger Janssen/Dailey Janssen Architects

Project Description: Demolition of a one story residence, landscape, hardscape and pool. Construction of a new two story residence, landscape, hardscape and pool.

A motion carried at the July meeting to approve the demolition request as presented. A second motion carried at the July meeting to defer the project to the August 26, 2020 meeting in accordance with the comments of the commissioners.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Janssen presented the architectural modifications proposed for the new residence.

Dustin Mizell, Environment Design Group, presented the landscape and hardscape modifications for the new residence.

Mr. Small called for public comment. There were no comments heard.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Ms. Janssen agreed to the easement.

Ms. Grace stated she preferred the copper lanterns by the front entrance. She also expressed concern for the proposed garage location but thought the proposal was acceptable.

Ms. Shiverick thought the changes were acceptable. She also made a general comment about the style of home and how this style has been repeated over the last several months. She hoped that new styles would be brought forward.

Mr. Sammons agreed with Ms. Shiverick and added that the eaves should be brought down.

Mr. Catlin and Mr. Cooney agreed with Ms. Shiverick.

Mr. Floersheimer appreciated that the site wall height reduction but questioned if the change was made due to the landscape plans shown.

Motion made by Mr. Garrison and seconded by Ms. Shiverick to approve the project as presented. Motion carried 4-3, with Messrs. Sammons, Corey and Ms. Grace opposed. This motion was approved with the condition that the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town.

B-037-2020 Demolition/New Construction

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW

Address: 110 Seagate Road

Applicant: Carlos Musso, Sr.

Professional: Roger Janssen/Dailey Janssen Architects

Project Description: Demolition of existing residence, landscape, hardscape and pool. Construction of a new two story residence, landscape, hardscape and pool.

ZONING INFORMATION: Special Exception with Site Plan Review to allow the construction of a 4,201 square foot two-story new residence on non-confirming portions of platted lots with a depth of 96.12 feet In lieu of the 100 foot minimum depth required In the R-B Zoning District.

A motion carried at the July meeting to approve the demolition request as presented. A second motion carried at the July meeting to defer the project to the August 26, 2020 meeting to allow the professional to research the features of the design.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Janssen agreed to the easement.

Mr. Janssen presented the architectural modifications proposed for the new residence.

Mr. Small called for public comment. There were no comments heard.

Mr. Garrison was in favor of the project and thought it would be a nice addition to the street. Mr. Ives agreed.

Mr. Grace was in favor of the architecture but still questioned if it fit on the street.

Ms. Shiverick was in favor of the project.

Mr. Sammons agreed and was in favor of the project. He made a suggestion for the lintels.

Ms. Catlin liked the architecture but thought it may be too boxy for the neighborhood.

Mr. Floersheimer supported the design.

Mr. Janssen stated he would recess the lintels at Mr. Sammons' suggestion. He made an alternate suggestion for the stucco pier in the pergola. Mr. Sammons responded.

Dustin Mizell, Environment Design Group, presented the landscape and hardscape modifications for the new residence.

Mr. Corey inquired about the percentage of native landscaping. Mr. Mizell responded. Mr. Corey thought the proposed landscaping was special.

Mr. Shiverick appreciated the addition of the Cypress tree.

Motion made by Mr. Corey and seconded by Mr. Ives to approve the project as presented. Motion carried unanimously. This motion was approved with the condition that the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town.

A second motion made by Mr. Corey and seconded by Mr. Ives that implementation of the proposed special exception with site plan review will not cause negative architectural impact to the subject property. Motion carried unanimously.

B-042-2020 Additions/Modifications

Address: 221 Ocean Terrace

Applicant: Amin Khoury

Professional: Rex Nichols Architects Inc.

Project Description: 183 sq. ft. is being added to the master bedroom. The summer kitchen is being updated. Doors and windows will be replaced. New site walls and landscaping to be added. The garage roof shall be replaced with a flat roof deck.

Clerk's note: This project was withdrawn from the agenda at the Approval of the Agenda, Item VI.

Please note: A lunch break was taken at 12:32 p.m. The meeting resumed at 1:02 p.m.

MAJOR PROJECTS – NEW BUSINESS

B-040-2020 Driveway Gates

Address: 1063 N. Ocean Blvd.

Applicant: 1063 N Ocean Blvd LLC (Kevin Dieterich, Treasurer)

Professional: Mario Nievera/Nievera Williams Design

Project Description: Proposed driveway entrance gates on north and south driveway entrances.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Nievera agreed to the easement.

Mr. Nievera presented the proposed driveway gates for the existing home.

Mr. Small called for public comment. There were no comments heard.

Many of the Commissioners were in favor of the project.

Mr. Corey inquired about photos of the existing residence. Mr. Nievera showed the Commission photos of the home.

Mr. Sammons suggested to either raise the posts or lower the gate. Mr. Nievera stated he would raise the posts.

Motion made by Mr. Corey and seconded by Mr. Garrison to approve the project as presented. Motion carried unanimously. This motion was approved with the condition that the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town.

B-044-2020 Additions/Modifications

Address: 165 Atlantic Ave.

Applicant: The Carlo Vittorini 2010 Revocable Trust

Professional: Roger Janssen/Dailey Janssen Architects

Project Description: General alterations to entry façade; replace all existing doors and windows with impact rated product; interior alterations; landscape and hardscape alterations.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Janssen agreed to the easement.

Mr. Janssen presented the architectural modifications to the existing home.

Mr. Small called for public comment. There were no comments heard.

Mr. Garrison inquired if there were other homes on the street that had front facing garage doors. Mr. Janssen confirmed there were and showed photos of other homes.

Messrs. Ives and Corey were in favor of the changes.

Ms. Grace was in favor of the existing orientation for the garage and thought the front door entry was too elaborate for the small home. Mr. Janssen responded.

Ms. Shiverick questioned the design for the front entry. Mr. Janssen responded and explained the design.

Chuck Yannette, Parker Yannette Design Group, presented the landscape and hardscape modifications for the existing home.

Mr. Corey inquired about the percentage of native landscaping. Mr. Yannette responded. Mr. Corey was in favor of the landscaping proposed.

Ms. Shiverick questioned if the circular driveway was necessary. She added that if removed, it would increase the greenspace. Mr. Yannette responded.

Mr. Floersheimer inquired about the location of the mechanical units. Mr. Yannette responded.

Mr. Small agreed with Ms. Shiverick's suggestion.

Motion made by Mr. Corey and seconded by Mr. Garrison to approve the project as presented. Motion carried unanimously. This motion was approved with the condition that the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town.

B-045-2020 Additions/Modifications

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 143 Reef Road

Applicant: John Criddle

Professional: Roger Janssen/Dailey Janssen Architects

Project Description: Proposed addition of a master suite on the north side of the property. Proposed two-car garage on west side of property. Revised landscape and hardscape and civil management plan.

ZONING INFORMATION: The applicant is proposing to construct a new 597 square foot one story garage to the west of the existing residence. The following variances are being requested: 1. Section 134-893(7): The applicant is requesting a variance for a west side yard setback of 5 feet in lieu of the 12.5 foot minimum required for a one story building. 2. Section 134-893(6): The applicant is requesting a variance for an angle of vision of 105 degrees in lieu of the 100 degrees maximum allowed.

Call for disclosure of ex parte communication: Disclosure by several members.

Maura Ziska, Attorney for the applicant, explained the project and zoning requests and advocated for a positive recommendation to the Town Council.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Janssen agreed to the easement.

Mr. Janssen presented the architectural modifications to the existing home.

Mr. Garrison appreciated that they were not demolishing the home. He was in favor of the project.

Mr. Ives was in favor of the project.

Ms. Grace questioned the front entry design and thought that the home, with the new additions, may be too large for the lot. Mr. Janssen responded.

Mr. Corey was happy the existing home was being renovated. He thought a one car garage would work better and would reduce the variance requests.

Ms. Shiverick was happy the existing home was being renovated and was in favor of the front entry. She questioned the color palate proposed. She was in favor of the two car garage. Mr. Janssen responded.

Ms. Catlin thought it was a good example of the Town working with the owners to find a solution to renovate the existing home. She stated she would support the variance.

Mr. Floersheimer agreed with the other Commissioners. He inquired if the professional thought about moving the garage forward to get out of the angle of vision.

Mr. Cooney thought the plan was logical and supported the project.

Mr. Small agreed with the other Commissioners, in particular with Mr. Corey regarding the front entrance. Mr. Small also suggested changing the garage to a one car garage plus a golf cart garage.

Mr. Small called for public comment.

John Eubanks, Attorney representing Gayle Petersen at 151 Reef Road, expressed the objections to the project.

Mr. Janssen responded to Mr. Eubanks' comments.

Mr. Garrison observed that the house to the west was over 14 feet away.

Mr. Corey agreed with Mr. Eubanks.

Ms. Shiverick agreed with Mr. Garrison and thought that visually, the two car garage would work.

Ms. Catlin thought the use of a garage is minimal and the impacts would not be that big on the neighbor. Mr. Cooney agreed.

Mr. Floersheimer disagreed with Mr. Garrison and Ms. Shiverick.

Francis Frisbie, owner of 143 Reef Road, explained the reasons for the design of her home and advocated for her project.

Ms. Grace responded to Ms. Frisbie and thought a one car garage would be more considerate for the neighbor.

Dustin Mizell, Environment Design Group, presented the landscape and hardscape modifications for the existing home.

Mr. Garrison pointed out that the existing site held the cars outside in the same location of the proposed garage. He thought the garage would be preferred.

Ms. Grace was in favor of the natives proposed. She suggested adding a Silver Buttonwood on the west side for screening. Mr. Mizell responded.

Many of the Commissioners were in favor of the landscape plan.

Motion made by Ms. Shiverick and seconded by Mr. Garrison that implementation of the proposed variances will not cause negative architectural impact to the subject property. Motion carried 4-3, with Messrs. Corey, Small and Ms. Grace opposed.

A second motion made by Mr. Garrison and seconded by Mr. Ives to approve the project as presented. Motion carried 4-3, with Messrs. Corey, Small and Ms. Grace opposed. This motion was approved with the condition that the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town.

B-048-2020 New Construction

Address: 257 Sanford Ave.

Applicant: Mary Bryant McCourt

Professional: Patrick Ryan O'Connell/Patrick Ryan O'Connell Architect, LLC

Project Description: Construction of a new two-story single family residence, landscape, hardscape and pool.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. O'Connell agreed to the easement.

Mr. O'Connell presented the architectural plans proposed for the new residence.

Mr. Garrison inquired about the color of the windows. Mr. O'Connell responded. Mr. Garrison inquired about the height of the fenestration on the first floor. Mr. O'Connell responded. Mr. Garrison suggested removing the transoms over the first floor windows.

Mr. Ives thought the existing street was unique and questioned whether the proposed home fit on the street. He questioned the way the scale and the sections of the home related to each other. He thought the home needed a lot of work for for the home to fit into the character of the street.

Ms. Grace thought the home was a bit out of scale and was in favor of Mr. Garrison's suggestion to remove the transoms. She questioned the fenestration, columns and the color choices.

Mr. Corey thought the house was too big and needed to be reduced. He questioned the three chimneys, the shutters, and the size and thought the home should be restudied. He suggested introducing items from other homes on the street into this design.

Ms. Shiverick agreed with Mr. Ives and thought the home did not feel like Palm Beach. She thought the professional had a blank slate to design a home that fit into the street.

Mr. Sammons thought the home was overblown for the street. He thought the center of the home was pinched and the sides were too big.

Ms. Catlin thought the design occurred as busy. She stated she did not believe the grandeur of the proposed home belonged on Sanford and thought it was too large for the street.

Mr. Floersheimer agreed with Mr. Sammons on the proportions of the home. He questioned the space between the floors and the ceilings.

Mr. Cooney thought the home was too heavy for the street.

Mr. Small thought the home was excessively massive, was not in harmony with the rest of the homes on the street and suggested a restudy of the design.

Mr. Small called for public comment. There were no comments heard.

Motion made by Mr. Ives and seconded by Ms. Shiverick to defer the project for two months, to the October 28, 2020 meeting, in accordance of the comments from the Commissioners. Motion carried unanimously. This motion was deferred with the condition that the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town.

Please note: A short break was taken at 3:00 p.m. The meeting resumed at 3:17 p.m.

B-049-2020 Demolition/New Construction

Address: 1500 N Ocean Blvd.

Applicant: Eric and Maura Christu

Professional: Richard F. Sammons/Fairfax & Sammons

Project Description: Demolition of existing residences at 1500 N. Ocean Blvd and 206 Mediterranean Rd. Construction of a new two story residence in the Barbados Georgian Style. Landscape and hardscape improvements.

Call for disclosure of ex parte communication: Disclosure by several members.

Please note: Mr. Sammons and Ms. Shiverick both declared a conflict of interest for this project and recused themselves from the project. It was noted that Ms. Catlin and Mr. Floersheimer would be voting in their absence.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Torres-Cruz stated that he believed the undergrounding has been completed but agreed to the easement.

Jaime Torres-Cruz, Fairfax & Sammons, presented the complete demolition package for the homes at 1500 N. Ocean Blvd. and 206 Mediterranean Road.

Mr. Small inquired about the status of the new landscaping that had been recently installed. Mario Nievera, Nievera Williams Design, responded.

Mr. Small called for public comment. There were no comments heard.

Mr. Corey asked to see the landscape demolition plan after the demolition of the two homes. Messrs. Torres-Cruz and Nievera responded.

Mr. Floersheimer asked to see the demolition reports for the two homes. Mr. Torres-Cruz reviewed the demolition reports for the Commission.

Motion made by Mr. Corey and seconded by Ms. Catlin that the proposed demolitions of 1500 N. Ocean Blvd. and 206 Mediterranean Road has met the conditions listed in Sec. 18-206 of the Town's Code of Ordinances, and to approve the project as presented with the following caveats: sod and irrigate the property within 30 days and all elements on the property are to be maintained prior to demolition, to include the full screening and that demolition access will be limited Mediterranean Road. Motion carried unanimously. This motion was approved with the condition that the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town.

Mr. Torres-Cruz presented the architectural plans proposed for the new residence.

Ms. Grace was in favor of the project. She wished there were more stone and arches but stated she would support the project.

Mr. Corey thought the house was very nice and very well studied. He suggested a small door between the dining room and kitchen. He was not in favor of the copper roof off of the dining room. He made a suggestion for a window in the dining room.

Ms. Catlin liked the siting of the home. She thought the architecture was a bit simple so she looked forward to the landscaping adding some life to the architecture. She inquired about the unity of title. Mr. Torres-Cruz responded.

Mr. Floersheimer inquired about the unity of title. He was in favor of the siting of the home and was in favor of the project. He questioned the possibility of reducing the curb cuts on N. Ocean Blvd. Mr. Torres-Cruz responded.

Many of the Commissioners were in favor of the project.

Mr. Nievera presented the landscape and hardscape plans proposed for the new residence.

Mr. Small called for public comment. There were no comments heard.

Ms. Grace inquired about the possibility of lanterns on the home. Mr. Torres-Cruz responded.

Mr. Corey inquired about the existing Seagrape tree on the southeast corner. Mr. Nievera responded and confirmed he would keep the tree in the existing location. Mr. Corey inquired about the screening of the garage on Mediterranean. Mr. Nievera responded. Mr. Corey questioned the paver material. Mr. Nievera stated he would like to use coral stone.

Many of the Commissioners were in favor of the project.

Motion made by Mr. Corey and seconded by Mr. Floersheimer to approve the project as presented with the caveat that the Seagrape tree in the southeast corner remains in the same location. Motion carried unanimously.

B-050-2020 New Construction

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 2315 Ibis Isle Road

Applicant: Diana and Owen Sanderson

Professional: Stephen Roy/Roy & Posey

Project Description: Construction of a new 6,772 s.f. two story residence to include: new landscaping, new pool and new hardscape.

ZONING INFORMATION: The applicant is proposing to construct a new 6,898 square foot two-story home. The following variances are being requested: 1. Section 134-893(5): The applicant is requesting a variance for a front yard setback of 3.5 feet in lieu of 30 feet minimum required for a two-story residence. 2. Section 134-893(6): The applicant is requesting a variance for an angle of vision of 154 degrees in lieu of the 100 degrees maximum allowed for a two-story residence.

Call for disclosure of ex parte communication: Disclosure by several members.

Please note: Mr. Small declared a conflict of interest for this project and recused himself from the project. It was noted that Ms. Catlin would be voting in his absence.

Maura Ziska, Attorney for the applicant, explained the project and zoning requests and advocated for a positive recommendation to the Town Council.

Mr. Roy presented the architectural plans proposed for the new residence.

Mr. Ives inquired about the material for the roof. Mr. Roy showed the Commission a roof sample. Mr. Ives suggested that the professional could have a bit of fun with the materials.

Ms. Grace was in favor of the design and thought it was interesting. She questioned the oval openings on the front of the home but overall was in favor of the project.

Mr. Corey thought the home was well thought out. Mr. Corey inquired about the elevation height. Mr. Roy responded. A short discussion ensued about the elevation. Mr. Corey felt the roof color was too dark and should be lightened.

Ms. Shiverick thought the roof color should be changed to white. She felt the design was interesting.

Mr. Sammons questioned the proportion of the front gable. Mr. Roy responded. Mr. Sammons thought a foot removed from the gable would be more successful. He was not in favor of the rear portico. He was in favor of the rest of the design.

Ms. Catlin agreed with Mr. Sammons on his comment of the front gable. She thought the house was creative. She thought the home could be pulled back on the lot.

Mr. Floersheimer agreed with Mr. Sammons on the rear portico but otherwise thought the home was successful.

Mr. Garrison agreed that the roof color could be changed and that the gable could be reduced.

Dale Posey, Roy & Posey, presented the landscape and hardscape plans for the new residence.

Mr. Corey was in favor of the landscape plan. He suggested that Mr. Posey contact the staff to confirm that the proposed plan met the native requirements.

Ms. Shiverick suggested adding an espalier where the ovals were located on the front of the home.

Ms. Catlin suggested removing the topiaries and replacing them with something more substantial.

Mr. Floersheimer questioned the Gumbo Limbo location over the water feature in the courtyard. Mr. Posey responded.

Mr. Garrison agreed with Ms. Shiverick and Catlin on the front elevation.

Mr. Garrison asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Roy agreed to the easement.

Mr. Garrison called for public comment. There were no comments heard.

Motion made by Mr. Corey and seconded by Ms. Grace to approve the project as presented with the condition that the following items to return to the September 23, 2020 meeting: a restudy of the front gable, the portico, topiaries and Jamaican capers on the front elevation and to confirm that the landscaping meets the native requirements. Motion carried unanimously. This motion was approved with the condition that the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town.

A second motion made by Mr. Corey and seconded by Ms. Grace that implementation of the proposed variances will not cause negative architectural impact to the subject property. Motion carried 6-1, with Ms. Catlin opposed.

B-051-2020 Demolition/New Construction

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW

Address: 1742 S. Ocean Blvd.

Applicant: 1742 LLC (Robert Simmons, President)

Professional: Harold Smith/Smith and Moore Architects, Inc.

Project Description: Demolition of an existing two-story residence and construction of a new two-story residence with pool.

ZONING INFORMATION: Section 134-843(a) and (b) Special Exception with Site Plan Review to allow the construction of a new 9,604 square foot, two-story residence on an unplatted non-conforming lot that has an area of 19,918 square feet in lieu of the 20,000 square feet minimum and a depth of 97.52 in lieu of the 150 foot minimum depth required in the R-A Zoning District.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Smith agreed to the easement.

Maura Ziska, Attorney for the applicant, explained the project and zoning requests and advocated for a positive recommendation to the Town Council.

Mr. Smith presented the architectural plans for demolition of the existing residence.

John Lang, Lang Design Group, presented the landscape and hardscape demolition plan.

Motion made by Mr. Corey and seconded by Mr. Garrison to approve the demolition as presented with the following conditions: to sod and irrigate the property within 30 days and all elements on the property are to be maintained prior to demolition. Motion carried unanimously. This motion was approved with the condition that the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town.

Mr. Smith presented the architectural plans proposed for the new residence.

Mr. Small called for public comment. There were no comments heard.

Mr. Garrison was supportive of the project.

Mr. Ives thought the house was large but compact. He thought it was a good addition.

Ms. Grace thought the details gave the home character. She questioned the choice of the plate glass. Mr. Smith responded.

Mr. Corey thought the house would fit into the area however he stated he could not support the house at this time. He could not support the roof material and questioned some of the fenestration. He suggested the addition of muntins on the windows. He questioned the trellis location and the shutters.

Ms. Shiverick was not in favor of the plate glass and questioned the shapes of the windows. She suggested using double hung windows or casements with mullions. She questioned the design of the bay windows.

Mr. Sammons stated he could not support the project. He questioned the proportions of the windows and plate glass.

Ms. Catlin questioned the fenestration and their locations.

Mr. Floersheimer agreed with the comments made about the mullions. He was in favor of some of the aspects but questioned the height of the home.

Mr. Cooney thought some of the fenestration needed some restudy. He also questioned the simulated wood.

Mr. Small was not in favor of the plate glass windows proposed.

Motion made by Ms. Shiverick and seconded by Mr. Garrison to defer the project for one month, to the September 23, 2020 meeting, for a restudy in accordance with the comments from the Commissioners. Motion carried unanimously.

B-052-2020 Modifications

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SITE PLAN REVIEW WITH VARIANCE(S)

Address: 200 Everglade Avenue, A-2

Applicant: Rob Satterfield

Professional: Patrick Segraves/SKA Architect + Planner

Project Description: Enclosing an existing southern balcony on a townhouse; new windows and sliding glass doors, all on rear elevation.

ZONING INFORMATION: Site Plan Review and variance request to add a third story addition by enclosing a balcony on the south side on a non-conforming three-story multi-family building. The variances being requested are to enclose the balcony are as follows: 1. Section 134-948(8)c: A third story addition where only two stories maximum is allowed. 2. Section 134-948(8)c: A building height of 26.5 feet in lieu of the 23.5 foot maximum allowed.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Clavijo agreed to the easement.

Daniel Clavijo, SKA Architect + Planner, presented the architectural modifications proposed for the existing residence.

David Klein, Attorney for the applicant, explained the zoning requests and advocated for a positive recommendation to the Town Council.

Mr. Small inquired if the renovation would resemble the renovation in the unit next to the proposed. Mr. Clavijo confirmed it would.

Mr. Small called for public comment.

Mr. Castro provided staff comments on the zoning requests.

Many of the Commissioners supported the addition.

Motion made by Mr. Corey and seconded by Ms. Grace to approve the project as presented. Motion carried unanimously. This motion was approved with the condition that the owner did voluntarily agree to dedicate a

utility easement supporting the undergrounding project subject to the satisfaction of the Town.

A second motion made by Mr. Corey and seconded by Ms. Grace that implementation of the proposed variances will not cause negative architectural impact to the subject property. Motion carried unanimously.

Please note: The meeting stopped at 5:45 p.m. It was announced that the meeting would resume on Thursday, August 27, 2020 at 9:00 a.m.

The meeting resumed at 9:00 a.m. on August 27, 2020. After a roll call, all Commissioners were present with the exception of Mr. Corey. It was noted that Ms. Catlin would be voting in his absence.

B-053-2020 Additions/Modifications

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 346 Seaspray Ave.

Applicant: Guy Rabideau, Trustee of 346 Seaspray Trust dated 5/8/20

Professional: Jose Luis Gonzales-Perotti/Portuondo-Perotti Architects

Project Description: Existing residence to be remodeled. New two story garage/studio, one story pool loggia and related landscape/hardscape elements.

ZONING INFORMATION: Applicant is proposing a 161 square foot addition to the existing loggia (which will be enclosed into a/c space); an 877 square foot two story addition to the northeast side of the property for a new garage and an upper level studio; and a 443 square foot pool loggia addition to the east side of the property. The following variances are being requested: Section 134-893(11): to allow a lot coverage of 30.3% in lieu of the 26.1% existing and the 30 percent maximum allowed in the R-B Zoning District. Section 134-893(13): to allow a cubic content ratio ("CCR") of 4.23 in lieu of the 3.57 existing CCR and the 4.11 CCR maximum allowed.

Call for disclosure of ex parte communication: Disclosure by several members.

Maura Ziska, Attorney for the applicant, introduced the project and zoning requests and advocated for a positive recommendation to the Town Council.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Portuondo agreed to the easement.

Rafael Portuondo, Portuondo-Perotti Architects, presented the architectural modifications proposed for the existing residence.

Matt Jackman, Nievera Williams Design, presented the landscape and hardscape modifications proposed for the site.

Mr. Small called for public comment. There were no comments heard.

Mr. Garrison was in favor of the project and thought it would enhance the area.

Mr. Ives agreed with Mr. Garrison.

Ms. Grace was in favor of the design and was excited to see the enhancement in the area. She questioned the proposed stone cladding's location. Mr. Portuondo responded.

Ms. Shiverick was in favor of the design. She stated she also thought the variances were necessary for the new renovation.

Ms. Catlin was in favor of the project but felt it would be nice to renovate the project without the need for variances.

Mr. Floersheimer inquired about the retaining wall on the east side of the property. Mr. Portuondo responded. Mr. Floersheimer inquired about the roof design. Mr. Portuondo responded. Mr. Floersheimer thought it was a wonderful project but agreed with Ms. Catlin that it would be nice to complete the project without the variances.

Mr. Cooney thought the project was outstanding and did not have any concerns for the variance requests.

Mr. Small agreed with his fellow Commissioners. He thought the variances would allow the enhancement of the architecture.

Mr. Castro stated that the attorney was requesting a historic building designation and stated that the project would need a flood plain variance.

Motion made by Ms. Catlin and seconded by Mr. Garrison that implementation of the proposed variances, including the flood plain variance, will not cause negative architectural impact on the subject property. Motion carried unanimously.

A second motion made by Mr. Garrison and seconded by Ms. Catlin to approve the project as presented. Motion carried unanimously. This motion was approved with the condition that the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town.

MINOR PROJECTS – OLD BUSINESS

A-012-2020 Modifications

Address: 1178 N. Ocean Blvd.

Applicant: 1178 Ocean LLC (Robert J. Buford, Manager)

Professional: Nicholas Fobes/Hoerr Schaudt Landscape Architects

Project Description: Changes to pool, spa, landscape and hardscape at the beach cabana of a previously approved project.

A motion carried at the June meeting to defer the project to the July 29, 2020 meeting at the request of the professional. A motion carried at the July meeting to defer the project to the August 26, 2020 meeting in accordance with the comments from the commissioners.

Call for disclosure of ex parte communication: Disclosure by several members.

Mike Ciccarelli, Hoerr Schaudt Landscape Architects, presented the landscape and hardscape modifications proposed for the site.

Mr. Small called for public comment. There were no comments heard.

Mr. Small inquired about the wall height and hedge height in front of the site. Mr. Ciccarelli responded. Mr. Small inquired about the plantings proposed. Mr. Ciccarelli responded.

Ms. Grace inquired about the amount of impermeable surfaces for the proposed site. Mr. Ciccarelli responded. Ms. Grace preferred the previously approved site. She inquired about the ficus hedge and its proposed location. Mr. Ciccarelli responded. She questioned the view of the ocean with the proposed wall. Mr. Ciccarelli responded.

Ms. Shiverick was in favor of the changes. She questioned the look of the outdoor furniture. Mr. Ciccarelli responded. Ms. Shiverick suggested that in the future, the Commission receive the specifications of the furniture proposed for the space.

Mr. Castro provided staff comments regarding the requirement to maintain the ocean vista.

Ms. Catlin asked if the professional could use a different species other than Ficus. Mr. Ciccarelli confirmed he could make that change. Ms. Catlin asked for confirmation that all of the turf is natural. Mr. Ciccarelli provided confirmation. Ms. Catlin asked if the professional could reduce the hardscape in the dining area near the beach access. Mr. Ciccarelli responded.

Mr. Floersheimer agreed with Ms. Catlin. Mr. Floersheimer asked Mr. Castro about the ocean vista. Mr. Ciccarelli stated he would reduce the wall to 30 inches for the entire lot.

Mr. Cooney was in favor of the project provided that they comply with the ocean vista requirement. Mr. Cooney thought that Green Island Ficus was completely acceptable.

Ms. Grace asked staff about the use of Green Island Ficus. Mr. Bergman responded. Ms. Groves van Onna stated that Susan Lerner, Preservation Foundation of Palm Beach, indicated that Green Island Ficus was not a native species.

Motion made by Ms. Catlin and seconded by Mr. Sammons to approve the project with the following conditions: the wall from the cabana to the north end of the site is reduced to 30 inches, if Green Island Ficus is found by the Town to be inappropriate, it would be switched to Seagrape and to reduce the hardscape in the dining area near the beach access. Motion carried 6-1, with Ms. Grace opposed. This motion was approved with the condition that the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town.

MINOR PROJECTS – NEW BUSINESS

A-017-2020 Modifications

Address: 225 Worth Avenue

Applicant: Love is Next Door, LLC (Burton Handelsman, Manager)

Professional: Jerome Baumoehl/Jerome Baumoehl Architect, Inc.

Project Description: Propose to remove center section of existing storefront and approximately 1,200 square feet of existing rentable retail space to create a new courtyard and up to seven individual retail suites. Design of new custom retractable iron gate/grille in a black finish will be closed when the building is not open.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Baumoehl presented the architectural modifications proposed for the existing commercial site.

Mr. Small inquired about the project and whether it had been noticed to the neighbors. Staff confirmed that notice had been sent.

Mr. Small inquired about the materials proposed for the site. Mr. Baumoehl responded.

Mr. Small called for public comment. There were no comments heard.

Mr. Castro stated that the naming of the via or way would need to be approved by the Town Council.

Mr. Garrison thought the solution of the proposal was clever but wanted to see more details of the space. He also questioned the proposed dead end for egress. Mr. Garrison also suggested to make sure the details were in keeping with the character.

Mr. Ives questioned if the proposed fit the definition of via. He also questioned the gate design and whether it fit in to the space. Additionally, he questioned the harmony of the proposal. He suggested changing the space into a true via. He thought he could be much more supportive of a true via.

Ms. Grace also agreed that more details were needed for the project. She inquired about the square footage of each space. Mr. Baumoehl responded. Ms. Grace thought the grill enclosure diminished Worth Avenue.

Ms. Shiverick agreed with Ms. Grace and felt many details were needed before a decision could be made. She added that the gate was the wrong style and questioned the need for a gate. She also questioned how successful the spaces would be as presented.

Mr. Sammons questioned the design and thought an open air space would be more successful. He added that he did not feel the design would contribute to Worth Avenue.

Ms. Catlin questioned the space size, the dead end at the end of the via, the name of the via, the grill.

Mr. Floersheimer agreed with Ms. Catlin.

Mr. Cooney stated he had trouble with the end of the via and the gate design.

Mr. Small agreed with the other Commissioners and questioned the harmony of the proposal.

Mr. Baumoehl responded to all of the comments from the Commissioners and advocated for his project.

Motion made by Ms. Shiverick and seconded by Ms. Catlin to defer the project for two months, to the October 28, 2020 meeting, for a restudy of the project. Motion carried unanimously.

A-019-2020 Modifications

Address: 520 S. Ocean Blvd.

Applicant: Harrison McCarthy

Professional: Patrick Segraves/SKA Architect + Planner

Project Description: Front balcony addition and narrowing of front entry. Window modification.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Clavijo agreed to the easement.

Daniel Clavijo, SKA Architect + Planner, presented the architectural modifications proposed for the existing residence.

Mr. Small called for public comment. There were no comments heard.

Mr. Garrison inquired about the change in the columns next to the windows on the lower fenestration. Mr. Clavijo responded. Mr. Garrison stated he supported the project.

Mr. Ives inquired about the windows and doors on the second floor. Mr. Clavijo responded.

Ms. Grace supported the removal of the old balustrade and was in favor of the balconies. She felt the front entry was a bit heavy but stated she would support the project.

Ms. Shiverick inquired about the proposed window colors. Mr. Clavijo responded. She questioned the small double window on the second floor. She also suggested a change to the window about the door.

Mr. Sammons thought the balconies were an improvement. He questioned the column design as well as the front entry design. He requested sections and details of the design elements.

Ms. Catlin thought the front entry was too heavy but liked the direction. She thought the columns on the first and second floor should match.

Mr. Floersheimer agreed with Ms. Catlin with the column design. He questioned the support of the balconies. He clarified the removal of the balustrades.

Mr. Cooney was happy to see the house being renovated.

Mr. Small agreed with Mr. Cooney and Ms. Shiverick. He questioned the double window on the second floor. Mr. Clavijo responded.

Mr. Clavijo further explained his design.

Ms. Shiverick questioned the proposed white color for the body of the residence. She preferred the existing color or a creamier white. Mr. Clavijo responded.

Motion made by Ms. Shiverick and seconded by Mr. Garrison to defer the project for one month, to the September 23, 2020 meeting, for a restudy in

accordance with the comments from the Commissioners. Motion carried unanimously. This motion was deferred with the condition that the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town.

A-020-2020 Additions/Modifications

Address: 1960 South Ocean Blvd.

Applicant: 1960 LLC (Nathan T.H. Lloyd, Manager)

Professional: Daniel Downey Architect Cht. Inc.

Project Description: Add a 1,300 s.f. single story addition located on the west side of the main building at the existing courtyard for a new living room.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Downey agreed to the easement.

Mr. Downey presented the architectural modifications proposed for the existing residence.

Mr. Small called for public comment. There were no comments heard.

Ms. Shiverick inquired about the color of the glass. Mr. Downey responded. Ms. Shiverick inquired about the windows on the second floor about the proposed area.

Mr. Sammons questioned the lack of shade for the window. Mr. Downey responded.

There was a consensus of the Commission that the change did not enhance the home but noted it would not be seen by anyone.

Motion made by Mr. Garrison and seconded by Mr. Small to approve the project as presented. Motion carried unanimously. This motion was approved with the condition that the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town.

A-022-2020 Modifications

Address: 240 Royal Palm Way

Applicant: JHD Associates LLC

Professional: Michael Dumala

Project Description: Replace existing windows, like for like (to impact). Paint window mullions SW Indigo blue, repaint building.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Dumala stated he would have to speak to the owner on the request.

Mr. Dumala presented the architectural modifications proposed for the existing commercial site. Mr. Dumala presented an alternate rendering that showed bronze windows.

Mr. Small called for public comment. There were no comments heard.

Ms. Grace preferred the blue windows over the bronze windows.

There was a consensus of the Commission of being in favor of the proposal.

Please note: Mr. Sammons declared a conflict of interest for the project. It was noted that Mr. Floersheimer would be voting in his place.

Motion made by Mr. Ives and seconded by Ms. Shiverick to approve the project as presented. Motion carried unanimously.

A-025-2020 Modifications

Address: 201 Via Linda

Applicant: Tom Roush

Professional: Stephen Roy/Roy & Posey

Project Description: Selective modifications to a previously approved ARCOM submission.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Roy agreed to the easement.

Mr. Roy presented the architectural modifications proposed for the existing residence.

Mr. Small called for public comment. There were no comments heard.

Ms. Grace thought the removal of the details would remove the character of the home.

Ms. Shiverick was not in favor of the removal of the details. She questioned the proposed gray roof color.

Mr. Sammons questioned the roof color and questioned whether the changes were an improvement.

Ms. Catlin thought the plan presented stripped away the charm of the home.

Mr. Floersheimer agreed with Mses. Catlin and Grace. Messrs. Cooney and Small agreed.

Mr. Roy inquired if raising the roof would be possible if kept in the approved design. A consensus of the Commission was that they would not support the roof change.

Motion made by Ms. Grace and seconded by Mr. Garrison to defer the project for one month, to the September 23, 2020 meeting, for a restudy in accordance with the comments from the Commissioners. Motion carried unanimously. This motion was deferred with the condition that the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town.

A-024-2020 Solar Panels

Address: 159 Seaspray Ave.

Applicant: Eric Leiner

Professional: Manuel Siques/Go Solar Power

Project Description: Solar PV System Roof Mount and Interconnection.

Call for disclosure of ex parte communication: Disclosure by several members.

Jackson McInerney, GoSolar Power, presented the proposed solar panels proposed for the existing residence.

Mr. Small called for public comment. There were no comments heard.

Ms. Groves van Onna thought the panels on the southwest roof would be visible from the public right of way and thought they should be relocated to the ancillary building.

Mr. Garrison inquired about the maintenance panels. Mr. McInerney responded. Mr. Garrison stated he would be opposed to the proposal unless a there was a maintenance program.

Mr. Ives stated he would appreciate moving the four panels proposed on the west roof to the flat roof and the back roof. He suggested that solar panels could be changed to a staff approval.

Mr. Castro provided the history for the reasons that solar panels are reviewed by ARCOM.

Ms. Grace inquired if the project required a notice to the neighbors. Mr. Bergman responded.

Ms. Shiverick expressed concern for the lack of notice and felt that the solar panels were not attractive.

Mr. Sammons thought the panels could have been relocated to the other flat roofs.

Mr. Floersheimer questioned the location of the wires for the panels. He added that he would like to see the more details for the proposal.

Mr. Cooney understood the environmental impact of the solar panels but felt the visibility of the panels from the street was troubling. Mr. Small agreed.

Messrs. Small and Garrison spoke about some of the details they would like to see in the next presentation.

Ms. Churney stated that if the Commission requested a notice to the neighbors, the project could not return until the October 28, 2020 meeting.

Motion made by Ms. Shiverick and seconded by Mr. Garrison to defer the project for one month, to the October 28, 2020 meeting, to allow notice to be sent to the neighbors and to return with a complete presentation. Motion carried 6-1, with Mr. Ives opposed.

Please note: A lunch break was taken at 12:40 p.m. The meeting resumed at 1:10 p.m.

A-026-2020 Generator

Address: 2784 S. Ocean Blvd.

Applicant: The Cove Condominium Association, Inc. (James Crowley, Attorney)

Professional: Leslaw A. Czaczyk, AIA

Project Description: Replacement of existing interior generator equipment with new 250 kW interior generator and associated mechanical equipment to be located on the ground floor of an existing 5-story building. Minor exterior modifications include a new door, added louvers on two walls, an exhaust pipe, and a modified planter retaining wall. The exterior alterations are necessary for the operation of the generator and will be screened with existing and proposed landscaping.

Call for disclosure of ex parte communication: Disclosure by several members.

Jamie Crowley, Attorney for the applicant, introduced the project and stated it would need a site plan approval from the Town Council.

Gene Pandula, Architect on behalf of the applicant, presented the architectural modifications proposed for the existing condominium.

Adam Mills, Environment Design Group, presented the landscape and hardscape modifications proposed for the site.

Mr. Small called for public comment. There were no comments heard.

There was a consensus of the Commission that they were in favor of the project.

Motion made by Mr. Floersheimer and seconded by Ms. Shiverick to approve the project as presented. Motion carried unanimously.

A-028-2020 Landscape/Hardscape

Address: 1556 N. Ocean Blvd.

Applicant: Pearls of the Palm Beaches LLC (Susan Shulman, Managing Member)

Professional: Don Skowron

Project Description: Minor landscape and hardscape adjustments to a previously approved ARCOM project.

Call for disclosure of ex parte communication: Disclosure by several members.

Don Skowron, landscape professional for the applicant, presented the landscape and hardscape modifications proposed to the previously approved plan.

Mr. Small called for public comment. There were no comments heard.

There was a consensus of the Commission that they were in favor of the project.

Motion made by Mr. Floersheimer and seconded by Ms. Shiverick to approve the project as presented. Motion carried unanimously.

A-030-2020 Modifications

Address: 210 Worth Avenue

Applicant: Ferragamo USA, Inc. (Todd Stecker, COO)

Professional: M. Mark Marsh/Bridges, Marsh and Associates, Inc.

Project Description: Tenant change out with new storefront design for Faidra Hanna & Co.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Marsh presented the architectural modifications proposed for the existing commercial site.

Mr. Small called for public comment. There were no comments heard.

There was a consensus of the Commission that they were in favor of the project.

Motion made by Mr. Ives and seconded by Mr. Garrison to approve the project as presented. Motion carried unanimously.

A-031-2020 Modifications

Address: 3440 S. Ocean Blvd.

Applicant: The Halcyon of Palm Beach Condominium Assoc., Inc. (Lawrence Zabik, Owner Agent)

Professional: Bunker Engineering and Construction Services

Project Description: Replace existing picket balcony railings with code compliant glass railings as shown.

Call for disclosure of ex parte communication: Disclosure by several members.

Larry Zabik, Zabik & Associates on behalf of The Halcyon, presented the architectural modifications proposed for the existing condominium.

Mr. Small called for public comment. There were no comments heard.

Mr. Garrison thought the changes were an improvement.

There was a consensus of the Commission that they were in favor of the project.

Mr. Floersheimer inquired about the thickness of the glass. Mr. Zabik responded.

Motion made by Mr. Floersheimer and seconded by Mr. Garrison to approve the project as presented. Motion carried unanimously.

XI. **ADDITIONAL COMMUNICATION FROM CITIZENS (3 MINUTE LIMIT PLEASE)**

There were no comments heard at this time.

XII. **DISCUSSION ITEM**

1. Demolitions

Attorney Skip Randolph provided the history of demolitions to the Commission.

A lengthy discussion ensued regarding demolitions and the Commission's lack of ability to save worthy homes. The Commission felt the amount of homes they would like to save is a very small percentage of the demolition requests. Nonetheless, the homes are lost because the Commission does not have the discretion to save the properties. The Commission feels like it is their role to protect and preserve beauty. They would like the ability to defer the demolition for a short time to allow the Landmarks Preservation Commission to evaluate the home and determine if it is worth preserving. There was an overwhelming consensus of the Commission to take the topic to the Town Council and ask them to reconsider the issue.

Mr. Randolph reminded the Commission that the Historically Significant Building ordinance passed. He stated that staff heard the Commissioners wishes and a memorandum could be drafted to the Town Council with the Commissioners wishes.

Motion made by Mr. Ives and seconded by Mr. Garrison to request staff to pass their request regarding demolitions to the Town Council. Motion carried unanimously.

XIII. **STAFF APPROVALS**

Mr. Bergman discussed the staff approval process and the move to make the approvals transparent by providing a copy to the Commission. He stated that staff was willing to discuss any of the approvals on the report.

There was a discussion regarding reading the provided report. The Commission also discussed the types of items that were staff approved on a regular basis.

There was a suggestion by Mr. Cooney to look at restructuring the agenda to hear minor projects earlier in the day to save the residents time and money.

Mr. Bergman suggested to the Commissioners that if they have an issues with staff approvals, they should contact staff prior to the meeting so that they can have the information readily available.

Mr. Ives suggested an alternate way to approve minor projects.

Ms. Shiverick suggested two Commissioners alternate and assist in the staff approval process.

There was another suggestion to add the staff approvals on the agenda as a consent item.

There was a consensus of the Commission to allow staff to develop a plan for staff approvals for future meetings.

XIV. **COMMENTS OF THE ARCHITECTURAL COMMISSION AND DIRECTOR OF PLANNING, ZONING AND BUILDING DEPARTMENT**

Mr. Floersheimer referenced a letter received regarding empty lots in the Town after demolition.

XV. **ADJOURNMENT**

Motion made by Mr. Garrison and seconded by Mr. Ives to adjourn the meeting at 2:49 p.m. Motion carried unanimously.

The next meeting will be held on Wednesday, September 24, 2020 at 9:00 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S County Rd.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "B. Small". The signature is fluid and cursive, with the first letter of "Small" being a large, stylized "S".

Michael B. Small, Chairman
ARCHITECTURAL COMMISSION

kmc

RECEIVED
SEP 09 2020
Town of Palm Beach
P.B. 1000

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Small, Michael		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Architectural Review Commission	
MAILING ADDRESS P.O. Box 2375		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Palm Beach	COUNTY Palm Beach	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED August 26, 2020		NAME OF POLITICAL SUBDIVISION Town of Palm Beach	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

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ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

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APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

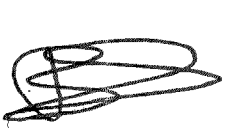
I, Michael Small, hereby disclose that on August 26, 20 20 :

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____ ;
- ☐ inured to the special gain or loss of my relative, _____ ;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Conflict of Interest

Please See Attached 

B-050-2020 2315 Ibis Isle Road

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

9/8/2020
Date Filed


Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

In response to a request for recusal, I confirmed that our law firm had sued and obtained a Judgment (ORB 12657 ,Page 1407) against the Applicants, Owen Mark Sanderson and Frederica Sanderson, aka Freddi Sanderson, approximately 20 years ago. As a result, I have recused myself from hearing the Applicants' application (B-050-2020)

A handwritten signature in black ink, appearing to be a stylized 'S' or 'SS'.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Shiverick, Betsy		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Architectural Review Commission	
MAILING ADDRESS P.O. Box 2589		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Palm Beach	COUNTY Palm Beach	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED August 26, 2020		NAME OF POLITICAL SUBDIVISION: Town of Palm Beach	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

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ELECTED OFFICERS:

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PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

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APPOINTED OFFICERS (continued)

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DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Betsy Shiverick, hereby disclose that on August 26, 20 20 :

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
- ☒ inured to the special gain or loss of my business associate, Richard Sammons ;
- ☐ inured to the special gain or loss of my relative, _____ ;
- ☐ inured to the special gain or loss of _____, by
whom I am retained; or
- ☐ inured to the special gain or loss of _____, which
is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Conflict of Interest

B-049-2020 1500 North Ocean Boulevard

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

Date Filed

8/30/20

Signature

[Signature]

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CITY Palm Beach	COUNTY Palm Beach	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED August 26, 2020		NAME OF POLITICAL SUBDIVISION: Town of Palm Beach	
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APPOINTED OFFICERS (continued)

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- ☐ inured to the special gain or loss of _____, which
is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

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B-034-2020 2730 South Ocean Boulevard

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8/30/20
Date Filed

[Signature]
Signature

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FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Sammons, Richard		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Architectural Review Commission	
MAILING ADDRESS 455 Worth Avenue		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Palm Beach	COUNTY Palm Beach	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	NAME OF POLITICAL SUBDIVISION: Town of Palm Beach
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APPOINTED OFFICERS (continued)

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- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Richard Sammons, hereby disclose that on August 26, 20 20 :

(a) A measure came or will come before my agency which (check one or more)

- ☒ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Conflict of Interest

B-034-2020 2730 South Ocean Boulevard

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

08/28/2020

Date Filed

Signature



NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Sammons, Richard		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Architectural Review Commission	
MAILING ADDRESS 455 Worth Avenue		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Palm Beach	COUNTY Palm Beach	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED August 26, 2020		NAME OF POLITICAL SUBDIVISION: Town of Palm Beach	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

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(a) A measure came or will come before my agency which (check one or more)

- ☒ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____ ;
- ☐ inured to the special gain or loss of my relative, _____ ;
- ☐ inured to the special gain or loss of _____, by
whom I am retained; or
- ☐ inured to the special gain or loss of _____, which
is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Conflict of Interest

B-049-2020 1500 North Ocean Boulevard

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

08/28/2020

Date Filed

Signature



NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Sammons, Richard		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Architectural Review Commission
MAILING ADDRESS 455 Worth Avenue		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY Palm Beach	COUNTY Palm Beach	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED August 26, 2020		NAME OF POLITICAL SUBDIVISION: Town of Palm Beach
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

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ELECTED OFFICERS:

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WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

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- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by
whom I am retained; or
- ☐ inured to the special gain or loss of _____, which
is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Conflict of Interest

A-022-2020 240 Royal Palm Way

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

08/28/2020

Date Filed

Signature



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